

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-02
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FM AMCONSUL STRASBOURG
TO SECSTATE WASHDC 1114
INFO ALL COE CAPITALS

UNCLAS SECTION 1 OF 2 STRASBOURG 0012

BRUSSELS ALSO FOR USEEC

VIENNA FOR CLIFFORD BRODY

E.O.11652: N/A

TAGS: SHUM, COE, EC.

SUBJECT: COUNCIL OF EUROPE: POSSIBLE VISIT BY ASST. SECRETARY
DERIAN, COE HUMAN RIGHTS UNDERTAKINGS, PARLIAMENTARY
ASSEMBLY POLITICAL COMMITTEE VISIT TO U.S.

SUMMARY: IN MEETINGS WITH HA/HR OFFICER BRODY AND CONGEN KURZE,
COUNCIL OF EUROPE (COE) OFFICIALS HAVE RESPONDED FAVORABLY TO
POSSIBILITY OF MRS. DERIAN MEETING HER EUROPEAN COUNTERPARTS AT
COE. ALTHOUGH BEST OPPORTUNITY MAY BE DURING SCHEDULED MAY 8-12
BIANNUAL MEETING OF HUMAN RIGHTS STEERING COMMITTEE, OTHER
OCCASIONS IN 1978 MIGHT BE SUITABLE AS COMMITTEE OF MINISTERS
AND/OR PARLIAMENTARY ASSEMBLY FORMALLY CONSIDER SEVERAL TOPICAL
HR QUESTIONS, AMONG THEM SUPPORT FOR PROPOSED UN CONVENTION ON
TORTURE, A DECLARATION ON HUMAN RIGHTS "IN THE CONTEXT OF
INTERNATIONAL RELATIONS", AND INCORPORATION INTO EUROPEAN CON-
VENTION OF SEVERAL ELEMENTS OF UN COVENANT ON CIVIL/POLITICAL
RIGHTS. THE PARLIAMENTARY ASSEMBLY'S POLITICAL COMMITTEE,
DEALING WITH THESE AND OTHER ISSUES, INTENDS TO FIELD AN EXPLO-
RATORY MISSION TO WASHINGTON, PERHAPS LATE THIS SPRING OR IN
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THE FALL, TO DETERMINE FEASABILITY OF A 1979 TRIP THERE BY
MEMBERS OF THE COMMITTEE TO HOLD A WORKING MEETING. END SUMMARY.

2. KAHN-ACKERMANN, COE SECRETARY-GENERAL: HE BELIEVES SCHEDULED
APRIL 24-28 MEETING OF PARLIAMENTARY ASSEMBLY TO DISCUSS CSCE
AND OTHER ISSUES WOULD ALLOW MRS. DERIAN TO MEET INFORMALLY WITH
THREE OR FOUR IMPORTANT COE MEMBER GOVERNMENT FOREIGN MINISTERS

LIKELY TO BE IN STRASBOURG FOR A APRIL 26 JOINT SESSION WITH SELECTED PARLIAMENTARIANS AND THEIR OWN COMMITTEE OF MINISTERS MEETING APRIL 27. APRIL 24-28 ASSEMBLY AGENDA IS ALSO FLEXIBLE ENOUGH FOR INFORMAL EXCHANGES WITH EUROPEAN PARLIAMENTARIANS AS WELL. MRS. DERIAN'S COUNTERPARTS, HOWEVER, ARE UNLIKELY TO BE IN STRASBOURG THEN. THE NEXT SCHEDULED HR EXPERTS' "STEERING COMMITTEE" SESSION (MAY 8-12) MIGHT BE A MORE SUITABLE OCCASION TO ENCOURAGE THEIR COMING HERE. THAT MEETING OSTENSIBLY IS AT A LEGAL, TECHNICAL LEVEL, BUT THIS COULD BE RAISED. KAHN-ACKERMANN NOTED, IN CONNECTION WITH HIS INTENDED TRAVEL TO U.S. MARCH 20-25, HIS DESIRE TO MEET WITH OFFICIALS IN WASHINGTON TO DISCUSS DERIAN VISIT AND OTHER MATTERS(MEMCON BEING POUCHED DEPT).

3. JOHN PRIESTMAN, PARLIAMENTARY ASSEMBLY CLERK, KLAUS SCHUMANN, ASSEMBLY POLITICAL COMMITTEE CLERK AND OTHERS: THEY ARE PREPARED TO ASSURE MRS. DERIAN'S MEETING KEY PARLIAMENTARIANS IF SHE IS IN STRASBOURG DURING APRIL 24-28 PARLIAMENTARY ASSEMBLY. FOR THE RECORD, THEY NOTED CURRENT AND APPARENTLY AMBITIOUS POLITICAL COMMITTEE EFFORTS TO ACCOMMODATE THE (EC9) EUROPEAN PARLIAMENT'S EMERGING HUMAN RIGHTS CONSCIOUSNESS WITH THE COE'S AND PARLIAMENTARY ASSEMBLY'S OWN PAST ACHIEVEMENTS AND PRESENT ENDEAVORS, ESPECIALLY AS THIS RELATED TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS. THEY VIEW NEXT WEEK'S JOINT MEETING (JAN. 26) OF THE PARLIAMENT AND ASSEMBLY HERE AS LIKELY TO INITIATE A LONG-TERM, PERHAPS CONTENTIOUS HUMAN RIGHTS RIVALRY BETWEEN THE TWO BODIES, UNCLASSIFIED

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DURING WHICH THE NINE'S EUROPEAN PARLIAMENT MIGHT EITHER ATTEMPT TO LEGISLATE ITS OWN VERSION OF THE EUROPEAN CONVENTION OR RECOMMEND THAT THE EC PER SE SEEK TO SIGN THE EXISTING CONVENTION. THERE IS SOME APPREHENSION OVER THE PROSPECT OF TWO EUROPEAN PARLIAMENTARY BODIES COMPETING OVER FUNDAMENTAL HUMAN RIGHTS DOCUMENTS, ESPECIALLY IF THIS WERE TO LESSEN THE POLITICAL SIGNIFICANCE OF THE EXISTING CONVENTION IN VIEW OF THE EC9 GOVERNMENTS.

4. PRIESTMAN ON MODIFYING THE EUROPEAN HR CONVENTION: THE SEPTEMBER 1978 MEETING OF THE COE PARLIAMENTARY ASSEMBLY IS LIKELY TO OPEN DEBATE ON STEPS TO BE TAKEN BY THE ASSEMBLY AND COMMITTEE OF MINISTERS TO INCORPORATE ELEMENTS OF THE UN COVENANTS (SOME OF WHICH ARE ALSO FOUND IN THE COE SOCIAL CHARTER) INTO THE EXISTING EUROPEAN HR CONVENTION. THE PROCEDURE TO BE FOLLOWED FOR SUCH REVISIONS IS PONDEROUS. EVENTUALLY AND ULTIMATELY, EACH OF THE 18 COE MEMBERS WHICH HAVE RATIFIED THE CONVENTION (PORTUGAL AND SPAIN HAVE NOT) WOULD HAVE TO RATIFY THE CHANGES (PROTOCOLS), A PROSPECT MANY YEARS OFF.

5. PRIESTMAN ON U.S. VISIT: THE PARLIAMENTARY ASSEMBLY'S POLITICAL COMMITTEE WOULD LIKE TO HOLD A WORKING MEETING IN

WASHINGTON IN 1979 AND AT THE SAME TIME HAVE EXCHANGES OF VIEWS AT THE APPROPRIATE LEVELS. IT WILL SEND A TEAM OF THREE POSSIBLY LATE THIS SPRING, MORE LIKELY IN THE FALL TO DETERMINE THE PROSPECTS FOR THE OFFICIAL WELCOME AND EXCHANGES. THE PARLIAMENTARIANS SEEK MEETINGS WITH MEMBERS OF CONGRESS AND ADMINISTRATION OFFICIALS WILLING TO EXCHANGE VIEWS ON KEY ISSUES IN EUROPEAN PARLIAMENTS, E.G: EUROCOMMUNISM, HUMAN RIGHTS, GIVING DEFINITION TO ECONOMIC AND SOCIAL RIGHTS . THE ADVANCE TEAM WILL BE IN TOUCH WITH JACK BRADY (HIRC), SPENCER OLIVER (CSCE COMMISSION) AND HA/HR, IN ADDITION TO EUR/RPE.

6. HENRI LELEU, COE DIRECTOR OF POLITICAL AFFAIRS, AND HERIBERT GOLSONG, DIRECTOR OF HUMAN RIGHTS AFFAIRS: THE COUNCIL IS TROUBLED BY THE ABSENCE OF ANY ACCEPTABLE, AGREED DEFINITION
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AMONG GOVERNMENTS OF ECONOMIC AND SOCIAL RIGHTS. THERE IS CONCERN THAT THIRD WORLD COUNTRIES IN THE UN 3RD COMMITTEE WILL SUCCUMB TO SOVIET-INSPIRED POLITICAL INITIATIVE TO IMPOSE UNACCEPTABLE DEFINITION UPON A UN MEMBERSHIP AT PRESENT EAGER TO REFER TO UN DOCUMENTS AND DECISIONS AS HUMAN RIGHTS TOUCHSTONES. IT MAY BE THAT INTERNATIONAL FINANCIAL INSTITUTIONS MIGHT SETTLE ON DEFINITIONS FOR ECONOMIC AND SOCIAL RIGHTS, BUT THE PACE OF THIS WORK IS MUCH QUICKER IN THE 3RD COMMITTEE. LOME CONVENTION NEGOTIATIONS MAY PRODUCE SOME TALK, BUT NOT MUCH MOVE.

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INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02
SS-15 USIA-15 IO-14 /089 W
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R 171220Z JAN 78
FM AMCONSUL STRASBOURG
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UNCLAS FINAL SECTION OF 2 STRASBOURG 12/2

BRUSSELS ALSO FOR USEEC

VIENNA FOR CLIFFORD BRODY

7. GIUSEPPE GUARNERI, DEPUTY TO GOLSONG: THE BEST WAY TO GO ABOUT ARRANGING THE MEETING FOR MRS. DERIAN WOULD BE TO RESPOND POSITIVELY TO AN INVITATION FROM THE COUNCIL TO ATTEND THE MAY 8-12 MEETING OF THE HUMAN RIGHTS STANDING EXPERTS (STEERING) COMMITTEE. THE U.S. SHOULD THEN USE BILATERAL CONTACTS TO INFORM COE GOVERNMENTS THAT MRS. DERIAN WOULD BE ATTENDING FOR AT LEAST ONE DAY (NOT ON THE 12TH) , SUGGESTING THAT HER COUNTERPARTS MIGHT WISH TO MEET WITH HER AT THAT TIME. ONE DAY OF THE FIVE COULD THEN BE RESERVED FOR THE INFORMAL EXCHANGES MRS. DERIAN DESIRED, WITHOUT INTERFERING WITH THE AGENDA PRESENTLY SET. IT WOULD BE HELPFUL FOR COE GOVERNMENTS TO HAVE THE EARLIEST INDICATION OF THE SUBJECTS DERIAN WOULD TAKE UP.

8. COMMENT: COE OFFICIALS ARE EAGER FOR MRS. DERIAN TO COME AND NOW RECOGNIZE THAT SHE WISHES TO HAVE SUBSTANTIVE CONTACT WITH DECISIONMAKERS FROM AMONG MEMBER GOVERNMENT FOREIGN MINISTERS. THE COUNCIL IS STILL A LOGICAL VENUE, AND THE FIRST STEP, NOW BEING TAKEN, IS TO SECURE AN INVITATION FOR THE U.S. AS OBSERVER TO THE MAY 8-12 EXPERTS' MEETING. FOR STRICT REASONS OF COE PROTOCOL AND PRACTICE, THIS WOULD HAVE TO PRECEDE ANY UNCLASSIFIED

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COMMUNICATION BY THE USG TO COE MEMBERS THAT WE WERE IN ANY WAY ASSOCIATED WITH THAT MEETING. ONCE DONE, THE LOGICAL CHOICES FOR MRS. DERIAN'S COMING HERE ARE THE APRIL 24-28 PARLIAMENTARY ASSEMBLY (SEE ABOVE, PARA 3) AND THE MAY 8-12 MEETING. THE LATTER APPEARS TO OFFER MORE MEANINGFUL, INFORMAL CONTACT WITH HER COUNTERPARTS, IT DOES NOT, HOWEVER, BECOME A VIABLE OPTION UNTIL AN INVITATION IS TENDERED. CONGEN WILL ADVISE WHEN THAT OCCURS. KURZE

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